HONOURABLE SHRI JUSTICE R.SUBHASH REDDY

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WRIT PETITION No. 6149 OF 2006

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Dated 20th April, 2006

Between:

Tribal Fishermen Cooperative Society

(Proposed Society)

represented by its Chief Promoter,

C.Kunja Lakshmikanthaiah.

… Petitioner

And

The Commissioner of Fisheries,

Department of Fisheries,

Matshya Bhavan, Shanthinagar,

Vijayanagar Colony, Hyderabad and another.

… Respondents.

ORDER:

Certain individual tribals of Seetharampuram village, Singareni Mandal, Khammam District have represented to the Assistant Director of Fisheries to organize a separate Tribal Fishermen Cooperative Society for Seetharampuram village. When such similar requests were also made to the Integrated Tribal Development Authority, Bhadrachalam, the Project Officer has addressed to the Assistant Director of Fisheries, Khammam to take necessary steps to organize a separate Tribal Fishermen Cooperative Society of Seetharampuram village.

Though in this writ petition, the petitioner is seeking directions by way of writ of mandamus to grant permission to form separate society for Seetharampuram village, but, as much as it is admitted that, at present, Seetharampuram village is in the area of operation of Fishermen Cooperative Society, Yellandu, no direction can be given to form a separate society for Seetharampuram village unless orders are passed on the representation of the petitioner-society stated to have been submitted for deletion of Seetharampuram village from the area of operation of Fishermen Cooperative Society, Yellandu, by following the due procedure contemplated under the provisions of the A.P. Co-operative Societies Act.

However, in the counter-affidavit filed on behalf of the respondents, it is stated that the entire Singareni Mandal including Seetharampuram village falls under Tribal sub plan area (Tribal Scheduled area) and the action on the proposal submitted by the petitioner is pending consideration.

In view of the stand in the counter-affidavit, if any such proposals are pending consideration for deletion of Seetharampuram village from the area of operation of Fishermen Cooperative Society, Yellandu, the respondents are directed to take a decision on such proposals by following the due procedure under the provisions of the A.P. Cooperative Societies Act by issuing notice to all the affected parties and to pass appropriate orders as expeditiously as possible. It is made clear that the competent authority may take its own decision uninfluenced by any of the observations made in this order.

Subject to above direction, the writ petition is disposed of. No costs.

2006. **(R.SUBHASH REDDY, J.)**

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